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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,469	02/12/2001	Amiad Solomon	P-2967-US	6390

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EXAMINER

PATEL, JAGDISH

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/780,469	Applicant(s) SOLOMON, AMIAD	
	Examiner JAGDISH PATEL	Art Unit 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it contains more than 150 words and is not in a single paragraph. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bisdikian et al. (US Pat. 5,974,406) (Bisdikian) and further in view of Witek et al. (US Pat. 6,253,188) (Witek).

Per claim 1, Bisdikian teaches a method for using a computer connected to a network to match buyers and sellers, the method comprising:

receiving a buyer request from a buyer said buyer request including a request to purchase a good or service;

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(col. 3 L 11-34, input information regarding their offerings (seller) or their demands (buyer) electronically)

having said computer search (sites on said network) for sell ads from sellers, each of said sell ads referring to an advertised good or advertised service;

(col. 4 L 44-51, searching the resource database, also refer to function of the Resource Searching and Matching server 23)

matching said buyer request with at least one of said sell ads;

(refer to col. 4 L 44+ "matching process", also refer to function of the Resource Searching and Matching server 23)

and notifying the associated seller for each matched sell ad that said buyer has requested a good or service similar to the advertised good or advertised service advertised in said matched sell ad.

(refer to col. 3 L 30-46, after the match is found between buyer and seller ..conference call server between matched parties)

Bisdikian fails to explicitly teach that the computer searches (web) sites on the computer network. However, Witek, in the same field of endeavor teaches a teaches a method of

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for using a computer connected to a network to match buyers and sellers a plurality of web sites are searched in order to match buyers and a sellers.

It would have been obvious to one of ordinary skill in the art at the time of invention to have Bisdikian per Witek to have the computer search sites on the network because this would vastly increase the number of buyers and seller who advertise their goods and services over many computer sites, thereby vastly increasing the chances of matching respective buyers and sellers.

Claim 2: inviting said notified seller to access said computer in order to make an offer to said buyer.

(refer to col. 3 L 30-46, after the match is found between buyer and seller ..conference call server between matched parties)

System Claims 3 corresponds to method claims 1 and 2 with the additional feature of (means) for informing the seller of other offers made to the buyer.

Official Notice is taken that informing a seller of offers made by several buyers old and well known. For example, in an auction process a seller of goods or services receives offers from potential buyers who make offers for the seller's good.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have this feature added because this would enable the seller to obtain best term and price for the good he desires to sell.

Claims 4-6 are analyzed in a similar manner as method and system claims 1-3. Note that both cited references are usable for matching a buyer with a seller and vice versa.

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Regarding claim 5, while, the cited references fail to disclose, however, Official Notice is taken that notifying a seller for each matched sell ad that notified buyer has requested a good or service similar to the advertised good or service in the matched sell ad is old and well known.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to have this feature added to the combination of cited references because this would enable the seller to compare and evaluate goods similar to the matched good.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

4/5/05